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February 19, 2022

VIA ECF

Hon. Alison J. Nathan
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007



Re: *Commissions Import Export S.A. v.*
Republic of the Congo, 1:14-mc-00187 (AJN)

Dear Judge Nathan:

We represent Judgment Creditor Commissions Import Export S.A. (“Judgment Creditor”). Pending before the Court is a motion by Ecree LLC (“Ecree”), a non-party to this proceeding, to quash a subpoena Judgment Creditor served on Ecree on July 19, 2021. *See* ECF Doc. Nos. 24-30 (the “Motion to Quash”). One of the arguments advanced by Ecree was that Your Honor should defer to rulings of Judge Failla in *Commissions Import Export S.A. v. Republic of the Congo and Ecree LLC*, 1:19-mc-00195 (KPF).

This week Judge Failla permitted Judgment Creditor to proceed with discovery of Ecree in that proceeding. A copy of her Order is submitted herewith. Accordingly, Judgment Creditor withdraws its subpoena to Ecree in this proceeding, without prejudice to its rights to discovery in the proceeding before Judge Failla. This renders the Motion to Quash moot.

SO ORDERED

Respectfully submitted,

Charles R. Jacob III

2/22/2022

cc: All Counsel via ECF
Enclosure
4894-8594-3567

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMISSIONS IMPORT EXPORT S.A.,

Petitioner,

-v.-

REPUBLIC OF THE CONGO and
ECREE LLC,

Respondents.

19 Misc. 195 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

As discussed on the record on February 16, 2022, Petitioner shall file an amended petition, if any, on or before March 4, 2022. Respondents shall file their respective motions to dismiss on or before April 4, 2022. Petitioner shall file a single opposition brief in response to both of Respondents' motions to dismiss on or before May 18, 2022, which submission shall not exceed 35 pages. Respondents shall file their reply briefs on or before June 3, 2022.

Moreover, Respondents' request to stay post-judgment discovery during the pendency of their motions to dismiss is hereby DENIED.

SO ORDERED.

Dated: February 17, 2022
New York, New York



KATHERINE POLK FAILLA
United States District Judge